

WORTH, LONGWORTH & LONDON, LLP

ATTORNEYS AND COUNSELLORS AT LAW

111 JOHN STREET, SUITE 640

NEW YORK, N.Y. 10038

TELEPHONE: (212) 964-8038

FACSIMILE: (212) 964-8164

October 25, 2022

VIA ECF

Hon. LaShann DeArcy Hall
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East,
Brooklyn, New York 11201

Re: Dollard et. al. v. City of New York et. al.
16-CV-2529 (LDH)(CHP)

Your Honor,

As you know, my firm represents Defendant New York City Police Officer Rhea Tiwari (“Officer Tiwari”) in the above-referenced matter and Doug LaBarbera and myself are trial counsel. I write pursuant to Your Honor’s Order dated October 20, 2022 to respectfully request a two (2) week adjournment of the trial scheduled to commence on January 2, 2023. Since the issuance of the Order, we have attempted to meet and confer with counsel for the parties to ascertain their positions regarding readiness for trial on that day, as well as the instant request. Counsel for Plaintiff, Mr. Quinn, indicated on October 21, 2022 that he was in the process of determining the availability of co-counsel and Plaintiff’s expert witness but would not oppose the application. We have called and emailed Counsel of record for the City, without response.

I have long standing plans to be out of New York State beginning December 16, 2022 until January 6, 2023, planning and attending the multi-generational celebration of a family member’s eighty-fifth birthday. It would be difficult, if not impossible, to attempt to reschedule given the schedules of the attendees. I make this application reluctantly, fully aware that this is a 2016 docket, trial is necessary and the complexities of scheduling trial matters. In forty years of legal practice, I have never made an application for adjournment of trial because of a personal matter.

Based upon the foregoing, I am respectfully requesting that the trial, presently scheduled for January 2, 2023, be adjourned until January 17, 2023 (January 16th is Martin Luther King Jr. Day). This is the Officer Tiwari’s first request for adjournment of trial.

We thank the Court for its time and consideration of this matter.

Respectfully Submitted,

/s/
Mitchell Garber (MG 6652)

CC: **VIA ECF**

John E Quinn, Esq.
218 E Park Ave
Long Beach, NY 11561

Abraham Rubert-Schewel
Tin Fulton Walker & Owen, PLLC
119 E. Main St.
Durham, NC 27701

Robert Howard Rickner
Rickner PLLC
14 Wall Street
Suite 1603
New York, NY 10005

Omar Javed Siddiqi
New York City Law Department
100 Church Street
New York, NY 10007
212-356-2345